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And Now—The Last Straw?—We Learn That Saigon Refuses to Bomb Hospitals

"Saigon, South Vietnam, Oct. 22 (Reuters)—Communist guerrilla forces in South Vietnam have developed an efficient and well-equipped medical service to care for their rising battle casualties, according to a new intelligence estimate. Evidence shows that the Vietcong are well supplied with modern drugs, including anti-biotics, and their facilities include large base hospitals and medical training centers.

"Government forces say they know the exact sites of several of the hospitals. Some U.S. officials are mystified at Saigon's apparent reluctance to take military action to put these hospitals out of operation. They say this would provide a major psychological setback to Communist troops risking danger in combat.

"Much of the drugs and other supplies the Communists use is of Western manufacture, some of it imported into South Vietnam under U.S. aid programs."

—New York Times (early edition) Oct. 25.

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Whom The Gods Would Destroy, They First Render Smug

Secretary McNamara's press conference Oct. 22 on the Chinese bomb was a mixture of insight and smugness. On the one hand he recognized that "nuclear spread" is one of "the greatest dangers facing the world today." It was so, he said, because "nuclear technology is advancing so rapidly that the cost of building a minimum nuclear capability, whether measured in terms of capital expenditure, human skills or the time required to achieve that capability, is decreasing dramatically." These sobering words deserve the closest attention. On the other hand, he exhibited a dangerous complacency about the Chinese bomb. He said we had enough nuclear capacity to survive a surprise attack and still "assure the simultaneous destruction" of Russia and China. He added that he saw no reason to revise our strategic plans "because the Communist Chinese cannot for many years obtain the capability to inflict nuclear damage on this country or on our allies."

China's Neighbors Already In Danger

Such talk creates a false sense of security and is an obstacle to the fresh rethinking of our China policy which the bomb makes urgent. It may indeed take a decade before China has the capability to inflict damage directly upon the United States. But it is not at all certain that she cannot even now make a nuclear attack on American allies around her borders. "Poor as is China's bombing fleet by Western standards," the respected military commentator Mark Watson wrote in the *Baltimore Sun* (Oct. 17), "it is adequate for a fairly long haul, and nobody can be more fully aware of that than the nearby nations of Asia."

Secretary McNamara said the Chinese bomb was "a crude device" too heavy to be delivered by available Chinese aircraft. Dr. Ralph Lapp, the nuclear physicist who worked on our A-bomb during the war, told UPI that our first bomb was also crude and heavy and delivered over Hiroshima by another "crude device," the now obsolete B-29. Dr. Lapp told us that Secretary McNamara's estimate that the Chinese bomb weighed 9,000 pounds was surmise. "We have no way of knowing," Dr. Lapp said. The U.S. was surprised to find from examination of the radioactive debris that the Chinese bomb was set off by a trigger more sophisticated than we expected and that it was made not of plutonium, like the first Russian, British and French bombs, but from enriched uranium, U-235. This requires greater industrial proficiency than we thought the Chinese had. Dr. Lapp said it was nonsense for the President to say that it was a national tragedy for China to have gone the enriched uranium route because of its heavier cost. The possession of facilities for making enriched uranium of its own will provide enriched material for its reactor complex, and a greater total output of power as well as bomb-stuff. Similar surprises are possible in terms of the bomb's weight and China's delivery capacity. But that is not the real point. The point is that fear of a Chinese bomb will make India and Japan think the time has come for them to make A-bombs, too.

The President has offered a pledge of protection to any nation threatened by nuclear attack from China. The Pentagon has let it be known that we placed a squadron of 15 B-52 heavy jet nuclear bombers on Guam last spring, only 1,000 miles from Communist China, the first time that the long-range B-52s have been stationed overseas. But these moves will not solve the problem, which is political not military. If China had been recognized ten years ago, if it had been admitted to the United Nations, if it had been included in the nuclear test ban negotiations, it might have felt secure

(Continued on Page Two)

When Barry Told The Truth About Himself

"Mr. Goldwater is a Presidential candidate by inadvertence. Until a late date he spoke of himself and thought of himself as an improbable Republican selection, and he gave reasons. As recently as January of this year he said in Phoenix, 'I've never done anything to get the nomination and yet all of a sudden everyone wants to thrust it on me and, doggone it, I'm not even sure that I've got the brains to be President of the United States.' It was an engaging self-evaluation, and unlike many things Mr. Goldwater says off the top of the head it had the ring of verity."

—The Sun (Baltimore) endorsing LBJ Oct. 25.

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Only An Agreement With Peking Could Stop Nuclear Spread in Asia

(Continued from Page One)

enough not to embark on this vast nuclear enterprise. China's A-bomb is its answer to American hostility. If this hostility continues, if China is still excluded from the councils of mankind, if we keep it in outlawry, it may in ten years time have not only atomic but thermonuclear bombs and the means to deliver them. India and Japan, looking forward to that possible time, will ask themselves as does Western Europe today: Can we count on America coming to our defense if that means a suicidal exchange which could cripple the United States? Will the Americans risk Detroit or New York to save Tokyo or Bombay? Would we not be safer with weapons, air-fleets and missiles of our own? Thus the instability of the Far East, which our policies have perpetuated, leads straight to a nuclear diffusion which is dangerous to ourselves and the world. This is what our leaders should be telling us.

What If Moscow Sets Up A Pacific MLF?

The emergence of the Chinese as a nuclear nation has already changed all the earlier equations of power politics. McNamara's self-assurance is based on the conviction that China will remain isolated. But what if the Russians were to make their peace with Peking and counter the creation of an MLF in Western Europe with an MLF of their own in the Far East? An MLF of 25 Polaris armed surface ships will not change the atomic stalemate between Russia and America. But a joint Russo-Chinese fleet of ships or planes, armed with nuclear weapons, would change the strategic situation in the Pacific overnight. It would provide a nuclear umbrella under which China could wage non-nuclear war on the ground in Southeast Asia, or even attempt a non-nuclear attack on Formosa. Or what if the Russians, angered by the sight of nuclear weapons within reach of their enemies, the Germans, were to give Peking supersonic planes or missiles, and aid in speeding up its achievement of thermonuclear weapons? Dr. Lapp estimates that with Russian aid China could have the H-bomb in two years. If China were suddenly given even a limited city-killing capacity to retaliate for any nuclear attack from America, we would face the same stalemate in the Far East as in Europe. We would be unable to threaten the nuclear escalation of the Vietnamese war without putting our own cities in danger. We would have to use ground troops at a disadvantage of distance and numbers. A prolonged Asian war, diverting American power to the Pacific, would weaken Western Europe and Western Germany vis a vis the Soviet Union. The Russians might feel about a war between China and the U.S. as some Americans felt before Pearl Harbor about the Nazi attack on the Soviet Union—a chance to let two rivals bleed themselves to death.

It is foolish that the State Department dismisses all this as light-headedly as does the Pentagon. It is tragic that only one American of any prominence, Alfred M. Landon, the GOP candidiate for President in 1936, should have spoken out for consideration of Peking's Oct. 16 proposal for a nuclear summit conference. Mr. Landon thought this proposal should be treated "with cordiality and caution rather than with coldness and negativity." Only one paper in the East, the *Baltimore Sun* Oct. 22 even mentioned the speech. It went almost unnoticed until Secretary General U Thant at a press conference later that day welcomed Mr. Landon's idea of a "dialogue" among the 5 nuclear powers. Unless we act quickly, the Chinese bomb will set off a chain reaction in India and Japan whose consequences we will live to regret.

That's All We Need Now— A Chiang Kai-shek A-Bomb

"Last week's convulsive events left a deeper mark on Americans than it did on two neighbors next door to Red China and the Soviet Union. Both Formosa and Poland took the nearby shocks calmly, their Ambassadors said last night.

"Ambassador Tsiang reported his people were 'more prepared' for the Communist China A-bomb than the Western World and had been told through its papers to expect it.

"Furthermore, he said, nuclear research on Formosa continues at full speed and has a reassuring effect on the people."

—Society Page Column, "Diplomatically Speaking" in the Washington Star, Oct. 21.

The Speech in Which Pres. Johnson Offered Hope of Restrained Policy in the Far East

"Some of our people—Mr. Nixon, Mr. Rockefeller, Mr. Scranton and Mr. Goldwater—have all, at some time or another, suggested the possible wisdom of going north in Vietnam. Well, now, before you start attacking someone and you launch a big offensive, you better give some consideration to how you are going to protect what you have. And when a Brigadier General can walk down the street of Saigon as they did the other day, and take over the police station, the radio station, and the government without firing a shot, I don't know how much offensive we are prepared to launch. As far as I am concerned, I want to be very cautious and careful, and use it only as a last resort, when I start dropping bombs that are likely to involve American boys in war in Asia with 700 million Chinese. . . .

"When we retaliated in the Tonkin Gulf, we dropped bombs where they had their PT boats housed, and we dropped them within 35 miles of the Chinese border. I don't know what you would think if they started dropping them 35 miles from your border, but I think that is something you have to take into consideration. So we are not going north and we are not going south. . . . We think that losing 190 lives in the period that we have been out there is bad, but it is not like 190,000 that we might lose the first month if we escalated that war. . . .

"The second illusion I want to talk to you about is the illusion that the U.S. can demand resolution of all the world's problems and mash a button and get the job done. . . . I do not think that our future is going to be a simple one. . . . I expect victory. We are going to have victory. But it is not going to be a swift victory. It is not going to be the victory of arms, and it is not going to be the victory of the grave. . . .As the threat of war fades, that victory, I want to warn you, is going to take great strength and going to take patience. It will take men willing to deal with the real events of a real world and not trapped by the dangerous illusions of fantasy."

—LBJ at Manchester, New Hampshire, Sept. 28. Verbatim White House text as delivered.

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D. C. Sanitation Department Cleaning Out Leftists As Well As Trash

A New Police State Practice Comes to Light in Washington

A little known police state practice has recently come to light here and may be the subject of congressional investigation in January. It's a trash cover. Like wiretapping, electronic eavesdropping, and mail covers, it is used by government officials to pry into the private lives and political activities of citizens. In this case the government's agent is the local garbageman. On orders from above he puts the trash of designated individuals into special bundles which are then turned over for inspection.

A Lawyer's Waste-Basket

The trash cover first came to public attention when the wife of a prominent Washington lawyer reported to the National Capital Area Civil Liberties Union that her trash was receiving special treatment. Local press stories treated the complaint as an isolated incident, but the NCACLU told us they have received two more complaints, one from a local Black Muslim leader. A letter which we were permitted to see tells an even more disturbing story. The author, who must remain unidentified, has close connections with the D.C. Sanitation Dept. He wrote, "The practice is very widespread in all sections of the city. It is estimated that every truck has at least one 'special' a week and some have one or more a day." This, he noted, was considerably less than during the McCarthy period. "One oldtimer says that during the period right after the Korean war, and during it, the practice was so prevalent in Georgetown that it seemed like every time a truck went to the incinerator, it had 2 or 3 specials. Since a truck makes an average of 7 loads [a day], and there are maybe 7 trucks coming into the Georgetown incinerator, that is an impressive estimate."

Just who is ordering the trash cover and why remains unclear. In a phone conversation with the above source it was suggested that the D.C. police may have requested some in order to track down narcotics and numbers rings. Others appear more directly related to political activity and may be the work of the FBI or perhaps of a D.C. "Red Squad." The letter just quoted says "foreigners are the most frequent targets" in one area. The lawyer whose wife first complained of a trash cover has represented Communists and has been active in civil liberties work.

Unfortunately, the NCACLU has dropped the case and considers it closed. It says it has been assured by an independent source that the practice has been discontinued. Maybe so, but no city or federal official has said so on the record. The cover could be continued again at any time and may be going on now in other cities. For this reason we were pleased to learn that Congressman Gallagher (D. N.J.) may conduct an investigation when Congress convenes. He was recently appointed chairman of a new special subcommittee of House Government Operations Committee. Its task is to look into the investigating practices of federal agencies, including the FBI. Gallagher has already written D.C. Commissioner Duke to find out "what federal agency requested that garbage be segregated."

Trash covers are dirty business in more than one sense. They seem to be a relatively recent refinement in snooping. We can find no mention of them in *Corpus Juris Secundum* or Wigmore's *On Evidence*, but they bring to mind counsel's noble plea in that English court case in 1765 which inspired the drafters of our Fourth Amendment prohibition against unreasonable searches and seizures (*Entick v. Carrington*, 19 *Howell's State Trials* 1029). "What?" asked counsel, "has a secretary of state a right to see all a man's private letters of correspondence, family concerns, trade and business? This would be monstrous indeed; if it were lawful, no man could endure to live in this country."

Historian Makes Startling Disclosure

Founding Fathers Never Cleared!

To the Editor:

It was startling to read in your Oct. 16 editorial on the Jenkins case the dogmatic assertion that "every Government official should have a security check."

Studies by the Fund for the Republic and the Cornell Civil Liberties project provide persuasive arguments that, over the years, the program of security checks and clearances has done more harm than good to the public service. In any event, it is relevant to recall that there was no security check on the men who wrote the Declaration of Independence, and no security check on the men who drafted the Constitution of the United States and that we somehow managed from 1789 to 1947 without a program of security checks.

Have standards of public service really been so much higher since 1947 than they were in the preceding 160 years? Henry Steel Commager

—Letters to the Editor, New York Times Oct. 25.

The FBI's Latest Report Offers Its Usual Comfort to Southern Racists

The FBI's 1964 annual report (released Oct. 19) devotes one chapter to the domestic communist menace but only one-third of a page to civil rights. The agency's anti-communist activity is entitled "Protecting Democracy". Civil rights is buried in a section on "Combating Crime." There we are told that all civil rights cases receive "impartial treatment." Southern sheriffs may see a fraternal wink in that phrase. The report makes no mention of white terrorist organizations and indicates no FBI effort to infiltrate these as it does the Communist and liberal organizations. There is no reference to the bombings that have destroyed dozens of Negro churches and homes nor any indication of FBI activity under the federal anti-bombing law.

The sins of commission are even more damning. The Southern racist is comforted. He is told that Communists worked unremittingly to increase their influence in the racial struggle" and "waged a constant effort to exploit civil rights." Is this not the South's own propaganda? The report feeds the delusions of the radical right. It says the Party "stepped up its activity on all domestic fronts," was encouraged by the signing of the test-ban, and is aided by talk of withdrawal from Vietnam. The picture of a mailed fist stamped CPUSA and surrounded by tags marked "peace", "women", "youth", "civil rights and liberties" is used to illustrate communist front activities. If President Johnson desires to end racism and bring a new sobriety to foreign affairs, he might begin with the FBI which still equates co-existence with subversion.

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Eastland Praised Bobby's Nomination as Attorney General

That Judge Cox, Eastland's College Chum, Was Kennedy's First Appointment

It is a pity the Keating-Kennedy campaign was so flaccid. The clash between Federal Judge W. Harold Cox of Mississippi and the Department of Justice was a chance for Keating to hit hard at Kennedy's civil rights record. More important he could have put the spotlight on the way the Kennedy Administration named so many racists to the Federal bench in the South. Cox was the first Kennedy appointment, one of six racists named to the District Courts and two racists to the Fifth Circuit Court of Appeals in the deep South.

Ike Named The Liberals

The Fifth Circuit is one of the most liberal in the country because it is largely filled with Eisenhower appointees. As a Republican he could ignore the wishes of Democratic Southern Senators. So can a Democratic President if he chooses. FDR turned down a Bilbo nominee in the 40's. The wave of terror in the South against Negroes and civil rights workers is encouraged by the presence of racist judges on the bench. Judicial candidates are investigated thoroughly, but no one seems to investigate their attitude toward Negroes.

Cox told a *New York Times* reporter (March 8), "I'm not interested in whether the registrar is going to give a registration test to a bunch of niggers on a voter drive." The clash between him and the Justice Department arises from a two-year campaign on his part to use the perjury laws against Negro civil rights leaders, seizing on immaterial discrepancies in voter registration testimony. Such prosecutions would add another element of terror against Negro voting.

The need for impartial judges has been vividly demonstrated in recent days. Convicted bombers go free while civil rights leaders are subjected to wholesale arrests. The current issue of *Ramparts*, a new militantly progressive Catholic monthly published in Menlo Park, Cal., carries an "eye-witness" story by Louis E. Lomax on how Chaney, Schwerner and Goodman were murdered in Mississippi. Part of the terrible story is how the martyred three were shadowed by the police in their fatal trip to Neshoba County. The police broadcast every move over a short wave band used by the KKK.

Bobby's Reluctance on Civil Rights

"In January of 1963, the Mississippi Advisory Committee of the U.S. Commission on Civil Rights suddenly woke up to the sobering fact that, as far as Negroes' rights were concerned, Washington had been dragging its feet for generations . . . the Committee stated that wide-spread police brutality was the most urgent civil rights problem in the state. When confronted with unmistakable evidence of both official and unofficial violence, Attorney General Robert F. Kennedy consistently maintained that the Justice Department did not have power to do any more in Mississippi than it was doing—which was very little. . . . On June 24, 1964, Robert Kennedy told an outraged NAACP delegation that the situation in Mississippi was 'a local matter for law enforcement' and that the Federal authority in that state was 'very limited.' He was immediately contradicted by 29 of the country's foremost law professors."

--Wm. M. Kunstler in Ramparts Magazine.

This has a direct bearing on a suit brought by Wm. M. Kunstler on behalf of COFO under an 1866 statute long neglected by the Justice Department (see box this page) for an injunction barring state, county and local officials, the Klan and other racist organizations from violence against rights workers. That suit has to be argued before this same Judge Cox!

Judge Cox, the first Kennedy appointment ("I'm very proud of the judges that have been appointed," Bobby told the *New York Times* April 27) was Senator Eastland's close friend and college chum. At the hearing on Kennedy's appointment as Attorney General, Keating tried unsuccessfully to get a commitment from him for stronger civil rights legislation. Eastland and the other three Southerners on the committee passed Kennedy without a question. Eastland moved the nomination in the Senate calling him "qualified in every respect." Kennedy's authorized biographers in *The Brother Within* explain that this is because most Southern Senators are "realistic and philosophical individuals."

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